

REMARKS

Status of the Claims

Claims 35-51 were pending in the application. Claim 48 has been amended; claims 35-47 and 49-51 have been cancelled without prejudice to future prosecution in a continuation application; and claims 52-64 have been newly added. Upon entry of these amendments, claims 48 and 52-64 will be pending and under active consideration. Only claim 48 is independent.

Applicants respectfully request entry of the amendments and remarks made herein into the file history of the present invention. Reconsideration and withdrawal of the rejections set forth in the above-identified Office Action are respectfully requested.

Claim additions/amendments

Claim 48 has been amended to incorporate the subject matter of independent claim 35 from which it originally depended. Thus, the amendment of claim 35 finds support in, at least, original claim 35.

Claims 52-61 and 62-64 comprise the subject matter of original claims 36-45 and 49-51, respectively. The original claims, which depended directly or indirectly from claim 35, have been redrafted to now depend from sole independent claim 48. Support for the amendment may be found throughout the specification and, at least, at paragraph [0009]: "The inventors have identified markers and developed a method for isolating hepatoblasts from livers of animals at *any age*." (emphasis added.)

Thus, Applicants submit respectfully that the amendments presented herein are supported fully by the claims and/or specification as originally filed and, thus, do not represent new subject matter.

Rejections under 35 U.S.C. 103(a)

Claims 35-47 and 49-51 stand rejected under 35 U.S.C. 103(a) for reasons of record. Without acquiescing to the propriety of the rejections, and solely for speed in prosecution, Applicants have cancelled claims 35-47 and 49-51 without prejudice to further prosecution in one or more continuation applications. Thus, Applicants respectfully submit that the rejections have been rendered moot and respectfully request favorable consideration of the pending claims.

Allowable subject matter

Applicants thank the Examiner for her indication at paragraph 13 of the Office Action that claim 48 would be allowable if rewritten in independent form including all of the limitations of the base claim and intervening claims. Accordingly, Applicants have redrafted claim 48 in independent form, incorporating the language of claim 35. Applicants also respectfully note the addition of claims 52-64, which depend from allowable base claim 48. Applicants thus respectfully submit that all of the claims are now in condition for allowance and respectfully requested such notification.

CONCLUSION

Favorable reconsideration, withdrawal of the rejections set forth in the above-noted Office Action, and an early Notice of Allowance are requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should be directed to our address given below.

AUTHORIZATION

Applicants believe there is no fee due in connection with this filing. However, to the extent required, the Commissioner is hereby authorized to charge any fees due in connection with this filing to Deposit Account 50-1710 or credit any overpayment to same.

Respectfully submitted,



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